

## **Special Education Advisory Panel Meeting Minutes**

Holiday Inn-Downtown

Helena

February 9-10, 2006

Members in Attendance: WyAnn Northrop, Amy McCord, Janet Jansen, Bob Peake, Gary Perleberg, Norma Wadsworth, Dick Slonaker, Dave Mahon, Robert Maffit, Ron Fuller, Diana Colgrove, Barb Rolf, Coral Beck, Holly Raser, Terry Teichrow and Cody Sinnott

Non-Members in Attendance: Bob Runkel, Marilyn Pearson, Spencer Sartorius, John Copenhaver, Dan McCarthy, Donna Maddox (PLUK), Virginia DeLand (PLUK), Dick Trerise, Doug Doty, Susan Court, Marlene Wallis, Anne Lowney

### **Thursday, February 9, 2006**

Chairperson WyAnn Northrop opened the meeting at 8:30 a.m. The members and guests introduced themselves. Chairperson Northrop requested that the Panel members review the Proposed Agenda. Following review of the Proposed Agenda, Gary Perleberg moved to accept the Proposed Agenda, Bob Maffit seconded the motion and the motion passed. The minutes of the November 17-18, 2005, meetings were reviewed and Dick Slonaker moved to accept the minutes and Janet Jansen seconded the motion. The motion passed and the minutes were approved as written.

### **OPI Report**

Bob Runkel thanked the Panel members for the work they did at the November 17-18, 2005, meeting regarding outcomes for students. He told them that the work they did provided a foundation for years to come.

Bob introduced Spencer Sartorius, Assistant Superintendent, who was responsible for overseeing the OPI move to the new building at 1201 11<sup>th</sup> Avenue. Spencer informed the Panel that 22 staff members from the 1300 11<sup>th</sup> Avenue building are moving to the 1201 building. The divisions that have moved are the Division of Health Enhancement and Safety and Educator Licensure. Spencer said that the move will provide three additional offices for the Division of Special Education. Spencer noted that additional staff have been hired for the "Indian Education for All" division and are located in the 1300 11<sup>th</sup> Avenue building.

Spencer thanked the Panel members for their dedication and hard work for students with disabilities.

### **IDEA Update**

Bob Runkel noted that the IDEA Reauthorization occurred in December of 2004. The Office of Special Education Programs (OSEP) is in the process of preparing federal regulations for the reauthorization. The OSEP anticipated that the regulations would be ready one year following the reauthorization. They were unable to achieve this timeline. They now anticipate the regulations could be out this summer or by September. When the federal regulations are out, proposed state regulations will be formulated. The process of developing state regulations will require assistance from the Panel. Initial proposal for the state regulations will be formulated

followed by a public hearing. The process takes a minimum of 120 days, but it is more likely to result in a six-month process.

### E-Grants System

Bob Runkel informed the Panel that about 2-3 months ago, the Office of Public Instruction sent out Request for Proposals (RFP) asking companies to bid on software for tracking and managing grants. The OPI is in the process of negotiation with the finalists. Bob then asked Marilyn to report on the E-Grants System.

Marilyn told the Panel that the E-Grant System is a Web-based system. Currently, IDEA Part B and Preschool grants are processed by pencil/paper applications. The E-Grant System will allow school districts to apply for all federal allocations electronically and should make the complete application process easier for school districts. The system will also allow the OPI to collect information on planned expenditures across grants, i.e., how many dollars is a district planning on expending for Professional Development. It is anticipated that districts will be able to apply for their federal funds through this new process in spring of 2007. When fully implemented, it will allow districts to apply for discretionary projects in the same manner.

Holly Raser asked, "Where are we with schools' ability to access electronically?" Bob said that the OPI is working on building into the program a process for schools that only have "dial-up." He also said that the OPI and school districts are becoming more dependent on high speed Internet service. Holly also asked if the money the legislature allocated to the OPI for setting up a reporting system for school districts is duplicating what the E-Grant System is proposing. Bob replied that it is not a duplicated system. The legislative appropriation will provide us information on students while the E-Grant System addresses federal funds. Bob said that Special Education is included as one of the programs in the E-Grant System which will provide huge dividends for Special Education.

Marilyn added that Special Education's involvement in this system is an exciting aspect of E-Grants. The OPI is working across divisions within the office; therefore, not duplicating in one grant what is in another grant.

Bob noted that this is a major accomplishment for the OPI.

### Student Information/Records/Data Warehouse System (SERIMS)

Bob explained that the highest priority for the special education records and information management system is to simplify paperwork and reduce the amount of time and effort teachers currently need to spend meeting the paperwork demands associated with special education. This system must support teachers in completing required documents and managing caseloads in a manner that is more time efficient than the current methods.

The second priority is to promote compliance with state and federal regulations by providing user-friendly validation checks.

The third priority is to assist in the documentation and reporting of special education student information through the use of an integrated database management system.

Bob indicated that the system will involve plenty of up-front work and requires feedback from school districts so that the final product meets our needs and the needs of our schools. It is

hoped that the system will be easy for teachers to use. The system will manage student information and has the ability to allow the office to focus in on compliance in a particular school and even makes it possible for the OPI to review students' files at the desk of the monitor at the state office.

Bob Peake indicated that the juvenile justice system is implementing a tracking system that contains many important measures of demographics that could be useful for schools. Because students in the juvenile justice system are often a transient population, it would be nice to share information between the systems. Bob said that if our systems could readily share information, school safety could be improved.

### IDEA Part B Application

Marilyn Pearson informed the Panel that next week the OPI, Division of Special Education, will provide notice that the Annual Application for Part B Funds under the Individuals with Disabilities Education Act (IDEA) is available for review. In the application the OPI has provided assurances. In those cases in which current policies, rules and/or statutes are inconsistent with the requirements in IDEA, the OPI has provided a date by which they will be revised or amended to bring them into compliance. The final regulations are in the process of being prepared for the reauthorization. In the application, the OPI, Division of Special Education, must provide a description of how the Part B funds will be used; how much will be used for state administration; and how much will be set aside by the state to carry out required activities such as: monitoring, enforcement and complaint investigation; to establish and implement a mediation process; and to assist public schools across a variety of activities. The public notice will be announced February 17, 2006, and the public will be provided an opportunity to comment. Panel members will receive the announcement. The application submission date is April 21, 2006.

### IEP "Short Form" Update

Bob Runkel reported that OSEP will allow up to 15 states to pilot a short form to reduce paperwork and increase instructional time. Montana's committee for reducing paperwork has met several times. Bob said that Dick Slonaker has assisted on the committee. The committee discussed what to use for criteria when considering what is appropriate for reducing paperwork requirements. Time is being taken away from teaching and learning and instead being used for completion of paperwork.

Dick said that the emphasis is to complete the paperwork in a more natural setting with the parents functioning more as partners. Bob said that is a better way of doing business (not necessarily a short cut). It is hoped that the paperwork could be handled more informally. Bob said that the initial IEP would require the same paperwork process and that the short form would be used only if the parent is in agreement. Bob Maffit asked if there is any discussion of nontraditional entities being involved. Bob Runkel replied that in making communication more natural there might be more opportunity for parents to talk with other parents.

### Parental Involvement Performance Indicator #8 of the State Performance Plan

John Copenhaver acknowledged the work of the Panel on the State Performance Plan and PLUK's participation. John explained indicator #8. John presented a PowerPoint regarding the involvement of parents in the special education process. He said the parents of a child with a disability are expected to be equal participants, along with school personnel, in developing,

reviewing and revising the IEP for their child. When IDEA 2004 passed, it enhanced the importance of parent involvement. John said the challenge to states is to reach out to parents to ensure meaningful parent involvement. The state has the responsibility of developing a procedure to measure parent involvement.

John distributed the "Montana Office of Public Information Parent Special Education Involvement Survey Special Education." This survey has 25 questions for parents. The Panel discussed the survey. Gary Perleberg asked, "Why not have teachers involved in the survey"? It could be handed out during the first meeting. Janet Jansen said that the school could use the survey every year. She said it could go out with the parent at each IEP. Case managers could use the survey as a communication tool with the parents.

Bob Maffit moved to accept and adopt the 25-Questions survey for indicator #8. Terry Teichrow seconded the motion and the motion carried. Chairperson Northrop asked for discussion on the motion. Following discussion of the survey, Bob Maffit moved to amend the motion to include an N/A (Not Applicable) when appropriate. Diane Colgrove seconded the amended motion and the amended motion passed.

#### Preschool Outcomes—Performance Indicator #7 of the State Performance Plan

Dan McCarthy described a change in procedures for developing an Individualized Education Program (IEP) for children who are 3, 4, and 5 years old. This change will allow the Office of Public Instruction (OPI) to begin collecting baseline data required to address Performance Indicator #7 in the State Improvement Plan. This Indicator requires an annual report of the percentage of preschool children with an IEP who demonstrate improved: (1) Positive social-emotional skills (including social relationships); (2) Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and (3) Use of appropriate behaviors to meet their needs.

The change in the IEP procedure consists of a new, single-page insert to the IEP form. This page requires the IEP team to indicate the child's present level of performance with respect to three performance areas. Beginning on March 1, 2006, the IEP team will address each of the three performance areas at both initial and annual IEP meetings, and at annual IEP meetings for a child who is six. At every initial IEP meeting the team must indicate whether the child performs either at a level comparable to same-age peers or not for each of the three performance areas. At every annual IEP meeting, the team must indicate whether the child reached or maintained a level of performance comparable to same-age peers, or improved but not to the level of same-age peers, or did not improve. This requirement will apply to all children, aged 3 through 5, regardless of disability category, placement, or services provided.

This strategy will allow the OPI to use the results of initial IEPs as the baseline, then use the results of annual IEPs to measure improvement, and finally use the data emerging from annual IEPs for 6 year olds as the measure of "improvement at exit." The OPI will collect this information as a part of the annual Child Count data taken on December 1, 2006. Most important, however, this performance assessment directs the IEP team to consider those factors highly likely to influence a preschool-age child's success in school.

A fact sheet, titled *FAQs About IDEA 2004a: Data Collection for 3, 4, 5, and 6-Year-Old Children with Disabilities*, accompanies the one-page IEP supplement. Both have been posted to the OPI Web page. Two, hour-long televideo conferences, linking with 18 sites throughout the

state, were conducted to advise special educators about this change. Additional training and information sharing activities are scheduled.

### **Joint Meeting of the State Special Education Advisory Panel and the State Comprehensive System of Personnel Development (CSPD) Council**

During the afternoon of February 9, 2006, the State Special Education Advisory Panel met with the CSPD Council. Items covered during the joint meeting included:

- Message from Chairperson—WyAnn Northrop, Advisory Panel
- Message from Chairperson—Linda Roundy, CSPD
- The Relationship Between the State Performance Plan and Personnel Development—Bob Runkel
- Improving Results for Students with Disabilities Through Personnel Development—John Copenhaver
- The Federal View of the State Performance Plan and its Relation to State Activities—Larry Wexler, Office of Special Education Programs, U.S. Department of Education
- Group Activity: An Examination of 10 Performance Plan Indicators and Opportunities for State and Regional Personnel Development

John Copenhaver had the CSPD and Panel members introduce themselves. He then welcomed all and WyAnn Northrop and Linda Roundy gave descriptions of the Panel and the Council. Bob Runkel then explained the relationship between the State Performance Plan and Personnel Development. He mentioned the importance of using the State Performance Plan as a vehicle for personnel development on the state level and educating our children. John described the State Performance Plan and why it was created. Bob gave a brief description of the current OPI activities that are based on the State Performance Plan. Larry Wexler, of the Office of Special Education Programs, U.S. Department of Education, joined the meeting via conference call to tell the Panel and the Council of his high regard for the state of Montana and its forward-thinking programs. He gave the national perspective on the State Performance Plan, mentioning that it was the blueprint for the next six years of Special Education in the state. He equated the State Performance Plan to an IEP for the state of Montana. He finished by mentioning that the State Improvement Grant Performance Measures will be released soon. John Copenhaver then gave instructions for the activity that was to be done that afternoon. The group provided valuable input to the improvement strategies and personnel development sections of the SPP.

### **Friday, February 10, 2006**

#### ***Reconvene Advisory Panel Meeting***

The Panel requested that the Friday morning agenda be modified to include an update on the State Improvement Grant (SIG) by Dick Trerise, as well as an opportunity to address questions on disproportionate costs. These agenda items are to be included right before the public comment segment.

### **Education Issues Related to Services Provided to Students in the Juvenile Justice System**

Bob Peake gave a presentation on the Youth Court structure in the state of Montana. He handed out a packet that broke down the specifics of the structure. He then went step-by-step through the process of Apollo youth getting into the system, what happens when a youth is in the system,

etc. He mentioned that law enforcement is the #1 referral agency, although schools and parents can also refer youth. He described the three types of children and youth involved in the youth court structure. He discussed the two types of processes that can occur once children and youth are a part of the system. He again referred to the handout and spoke about the numbers of students involved in the informal vs. formal processes.

Ron Fuller gave a presentation about how the system at Riverside Youth Correctional Facility in Boulder is run. He mentioned that Riverside only serves girls, and there is a 20-girl maximum to the program. He described the demographics of most of the girls:

- most haven't been in school for the previous 2 years, give or take
- most are very bright, creative, just need the opportunity
- they come from chaotic situations

He mentioned that Riverside has treatment/progress meetings once a week—where they go over the whole background of the girls. He noted that the system is very structured—change is very hard, even minor ones, on these girls. The goal is to make the girls feel safe while attending Riverside. The school is accredited as a regular school by the OPI—although Ron did note that it is not funded by the OPI, it is funded by the Department of Corrections. He mentioned that this can sometimes make it hard to get funding for needed classroom/education items, as the money managers are not educators. For this reason, the staff at Riverside actively seeks grants to supplement the money from the Department of Corrections. He then described the set-up of the education program at Riverside.

Ron gave a brief overview of the Pine Hills School in Miles City. This is the facility for the boys, and can accommodate up to 120 boys. He gave an overview of the staffing of Pine Hills and how the boys come to be in the program.

#### Youth Risk Behavior Survey (YRBS) - Students With Disabilities

Susan Court gave a presentation on the health risk behaviors of Montana students with disabilities. She handed out the “2005 Montana YRBS - Students with Disabilities” report published by the Montana Office of Public Instruction, the Montana High School YRBS Summary (a stair-step brochure), a comparison table of 2005 High School data with data as reported by Students with Disabilities, and the Students with Disabilities trend report. Susan went through the handouts and mentioned some of the highlights of the survey. Many concerns were expressed during the discussion that followed the presentation of these reports. Results of the survey indicated that students with disabilities more frequently engaged in high-risk behaviors than students without disabilities.

#### McKinney-Vento Homeless Assistance Act: Subtitle B of Title VII

Terry Teichrow gave a presentation on the McKinney-Vento Homeless Assistance Act. He showed two documents that are available on the Office of Public Instruction's Web site, the Non-Regulatory Guidance (by the feds) and the Local Homeless Education Liaison Toolkit. He mentioned that each school/district should have a homeless liaison. He gave an overview of each of the documents, and mentioned some of the statistics of homelessness in the state of Montana.

#### General Supervision Enhancement Grant Update: Making Connections

Dick Trerise gave an update on the General Supervision Enhancement Grant and the Personnel Development Grant. He mentioned the activities happening under each of the grants, and the

timelines for each grant. He made a special point of mentioning the Professional Development Web site that is being developed by Gold Systems. Bob Peake wanted to know if the Web site could be used to post trainings by other agencies that are available for teachers. Dick and Bob Runkel answered that the office will approach adding access to the professional development opportunities outside of education very carefully. Initially, this site will host only activities that are directly put on or supported by the Office of Public Instruction. Dick and Bob also mentioned that this system was taken from the Federal Aviation Administration (FAA) system for tracking renewal training requirements for pilots and tailored the program to meet our needs, thus other state agencies will be able to use this background and tailor it to their needs as well—at the cost of only the tailoring that needs to be done.

### Disproportionate Costs

Holly Raser asked the Panel to look at different ways to fund disproportionate costs for students. WyAnn Northrop asked if it could be added to the next agenda. Bob Runkel responded that it is a complicated issue and needs to be looked at very carefully—it would require a large portion of the agenda, he suggests at least an hour and a half. Holly asked if there were any legislative deadlines for this. Bob said that requests for legislative request were due this week. Holly asked if we could put in a “placeholder bill” to deal with this. Bob said he would see if this is a possibility. Bob indicated that he has already submitted a legislative request to increase SPED funding to a level on par with general education. He will talk with Spencer Sartorius and see if he could put in a placeholder for this topic. One option would be to suggest a supplemental payment for a district that is housing a group home.

### Public Comment

There was no public in attendance for comments.

### Agenda Items for Next Meeting (Tentative Agenda)

- Child Count Information—question as to age ranges, number of students in age range, etc.; have Pat Reichert come in and discuss
- Enrollment Information—what is general education enrollment in comparison to special education
- Meeting at MSDB—Steve Gettel would like to host and give a tour of the school
- Look at Performance Indicators 9 and 10—disproportionately as a result of misidentification
- Update on Universal Newborn Hearing Screening
- Disproportionate Funding (at least an hour and a half for information—does not include time for discussion and action)
- Transition Issues—can be done at the May/June meeting or possibly work in at next meeting; specifically dealing with school to work

### Next Meeting Dates

- April 18-19—if MSDB is not available on these dates, will meet in Helena
- June 22-23—tentatively for last meeting of this school year

WyAnn Northrop asked for a motion to adjourn the meeting. Janet Jansen moved to adjourn the meeting, Bob Peake seconded the motion and the motion passed. The meeting adjourned.